



SAN FRANCISCO
REGIONAL OFFICE

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
44 MONTGOMERY STREET, SUITE 2800
SAN FRANCISCO, CA 94104

April 28, 2021

FILED BY ECF

The Hon. Lorna G. Schofield
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

Re: *SEC v. Qin, et al.*, 20-CV-10849(LGS): Letter Motion for Adjournment of
May 6, 2021 Status Conference

Dear Judge Schofield,

Counsel for the Plaintiff Securities and Exchange Commission hereby moves the Court for an adjournment of the Conference currently scheduled for May 6, 2021, for an additional 120 days (until approximately September 9, 2021). If granted, this would be the second adjournment of the status conference.

The SEC has obtained agreement from the other parties, Stefan Qin, on behalf of himself, and Robert A. Musiala, Jr., as Receiver for Defendants Virgil Capital LLC, Montgomery Technologies, LLC, Virgil Technologies, LLC, Virgil Quantitative Research, LLC and VQR Partners, LLC, to the requested adjournment of the date (and has shared this letter motion).

The SEC seeks the adjournment of the conference for the following reasons. First, the parties have entered into arrangements for information sharing which have generally obviated the need for traditional civil litigation. For instance, in the Stipulation between the SEC and Mr. Qin regarding the entry of a preliminary injunction, the parties agreed that the defendant would provide the SEC information as requested for the purposes of securing investor assets. *See* ECF No. 26 at 3. Since then, Mr. Qin has provided information to the SEC, and to the Receiver. Similarly, the SEC has worked with counsel for the Receiver to provide access to documents and information regarding assets owed to, or owned by, the receivership estate. To the extent that the parties plan to use formal discovery, they are focused on information in aid of asset recovery.

Second, Mr. Qin is also the defendant in the related criminal case, *United States v. Stefan Qin*, No. 21-CR-75 (VEC) (S.D.N.Y.). Mr. Qin has already entered a plea of guilty in that action to one count of securities fraud. The SEC anticipates that resolution of the SEC's case against Mr. Qin may follow shortly after judgment in the criminal action. The sentencing was recently re-scheduled for August 19, 2021.

Third, the parties believe that an adjournment of the status conference will help preserve receivership assets by limiting costs incurred by re the receivership estate.

Respectfully submitted,

/s/ Susan F. LaMarca

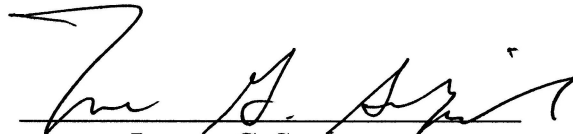
Cc: Stefan Qin (by email)
Sean Hecker, Esq. (by email)
Robert A. Musiala, Jr., Receiver (by email)

The application is GRANTED. The conference scheduled for **May 6, 2021**, is **adjourned to September 9, 2021, at 11:00 a.m.**, on the following conference call line: 888-363-4749, access code 558-3333. The time of the conference is approximate but the parties shall be ready to proceed by that time.

By **30 days** from the date of this Order, and every **30 days** thereafter, Plaintiff shall file a letter updating the Court as to the status of Defendant's criminal proceeding.

SO ORDERED

Dated: April 29, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE